



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

*Promoting the wise use of land
Helping build great communities*

MEETING DATE September 12, 2016	CONTACT/PHONE Cody Scheel (805) 781-5157 cscheel@co.slo.ca.us	APPLICANT Armrel Beecham	FILE NO. COAL16-0137 / SUB2015-00072
SUBJECT A request by ARMREL BEECHAM for a Lot Line Adjustment / Coastal Development Permit (COAL 16-0137) to adjust the lot lines between two parcels of 46.16 acres and 59.34 acres, resulting in two parcels of 52.86 acres and 52.64 acres. The adjustment will not result in the creation of any additional parcels. The property is within the Agriculture land use category and is located at 3030 & 3070 Clark Valley Road approximately 2 miles south of Los Osos Valley Road, and approximately 2.6 miles southeast of the Los Osos urban reserve line. The site is in the Estero planning area.			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL16-137 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 5 Categorical Exemption (pursuant to CEQA Guidelines Section 15305) was issued on September 12, 2016 (ED16-038).			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION Local Coastal Program, Coastal Appealable Zone, Geologic Study Area, Flood Hazard	ASSESSOR PARCEL NUMBER 067-161-005 & 007	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: None applicable			
LAND USE ORDINANCE STANDARDS: Section 23.04.024: Subdivision Design Standards for the Agriculture land use category			
EXISTING USES: Two single-family dwellings, surface mining operation and grazing			
SURROUNDING LAND USE CATEGORIES AND USES: North: Agriculture / residences South: Agriculture / residences East: Agriculture / residence West: Agriculture / residences			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Department of Agriculture, Coastal Commission, Los Osos Community Advisory Council			
TOPOGRAPHY: Gently to moderately sloping		VEGETATION: Grasses, oaks, chaparral, ornamental landscaping	
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: On-site septic Fire Protection: Cal Fire		ACCEPTANCE DATE: July 12, 2016	
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>			

DISCUSSION

Government Code Section 66412(d) – Lot Line Adjustments

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels (*Senate Bill 497*). In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan policies and requirements.

Title 21 / Real Property Division Ordinance

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

Proposed Adjustment

The applicant is proposing to adjust the lot lines between two legal parcels as follows:

LOT NUMBER	EXISTING LOT SIZES (ACRES)	ADJUSTED LOT SIZES (ACRES)
1	46.16	52.86
2	59.34	52.64

The lot line adjustment will result in the reconfiguration of the shared property lot line which allows for a more desirable configuration given the location of the existing shop building that is utilized by lot number 1 for the mining operations located on lot number 1. Currently the existing shop building is located on lot number 2, on the east side of the shared north-south property line, with no access to the shop building from lot number 2. The proposed lot line adjustment will shift the shared property line to the east in order to allow the existing shop building to be located on the lot it serves (lot 1). The existing shop building will also conform to the required side setback with the new lot configuration. The proposed lot line adjustment will make each lot more equal in size and does not create more development potential than what exists today. Future development must be consistent with applicable County regulations. The project will not result in the creation of any additional parcels.

Conclusions

The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcel sizes are below minimum parcel size as set through the General Plan and, and will remain so after the adjustment, and the existing shop building will now meet setback requirements, staff has concluded that the proposed adjustment is better than the existing lot configuration and is also consistent with both state and local law.

Williamson Act

Both parcels are under the same agricultural preserve (Los Osos Valley Agricultural Preserve No. 20) and Land Conservation Contract (by and between James H. Beecham and Armrel K. Beecham and the County of San Luis Obispo, recorded February 26, 1988, as Document Number 10335, Volume 3112, Page 63 through 74, inclusive). In 2007 the land owner filed a Notice of Nonrenewal to cease the annual renewal of the contract and terminate the contract. The contract will terminate on February 23, 2017.

The proposed lot line adjustment does not affect the outer boundaries of the agricultural preserve or contract so it is not necessary to amend the boundaries of the agricultural preserve or enter into a new replacement contract as is sometimes the case with lot line adjustments. However, the two parcels must remain in the same ownership until the contract terminates.

COMMUNITY ADVISORY GROUP COMMENTS:

Los Osos Community Advisory Council recommended approval on June 23, 2016.

AGENCY REVIEW:

Public Works – No concerns after further review (Referral response dated May 23, 2016 & August 16, 2016).

Environmental Health – Verify existing septic, wells, etc. remain located on the parcel(s) served and will meet setbacks to the new property line (Referral response dated May 20, 2016).

Department of Agriculture – Recommend approval (Referral response dated May 23, 2016).

California Coastal Commission – No referral response received.

LEGAL LOT STATUS:

The two existing lots were legally created by a Certificate of Compliance and Grant Deed at a time when that was a legal method of creating lots.

Staff report prepared by Cody Scheel and reviewed by Terry Wahler.